

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Alterik Rogers,

Plaintiff,

v.

Case No. 2:14-cv-2750

Sgt. Manard Reed, et al.,

Judge Michael H. Watson

Defendants.

Magistrate Judge Vascura

OPINION AND ORDER


This case had previously been stayed pending resolution of a state-court matter, *State v. Rogers*, Case No. 14CR00012, in the Jefferson County Court of Common Pleas. See ECF No. 53. Upon resolution of the state court case, Sgt. Manard Reed and Officer Thompson ("Defendants") moved for reconsideration of the Court's denial of summary judgment, asserting that Plaintiff Alterik Rogers' ("Plaintiff") conviction of menacing by stalking prevented Plaintiff from further litigating his excessive force claims against them. ECF No. 57. On October 12, 2018, the Magistrate Judge issued a Report and Recommendation (R&R) recommending that Defendant's motion for reconsideration be denied. ECF No. 61.

The R&R notified the parties of their right to file objections to the R&R pursuant to 28 U.S.C. § 636(b)(1). R&R 9–10, ECF No. 61. The R&R further advised the parties that the failure to object to the R&R within fourteen days would result in a waiver of the right to *de novo* review by the District Judge and

waiver of the right to appeal the decision of the District Court adopting the R&R.
Id. The deadline for filing such objections has passed, and no objections were
filed.

Having received no objections, the R&R is **ADOPTED**. Defendants'
motion for reconsideration, ECF No. 57, is **DENIED**. Moreover, because the
state court case has been resolved and the Magistrate Judge has vacated the
stay, the Court will proceed to trial on Plaintiff's remaining claims against
Defendants.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT